



APPLICATION ACCEPTED: October 18, 2013  
BOARD OF ZONING APPEALS: January 8, 2014  
TIME: 9:00 a.m.

# County of Fairfax, Virginia

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January 1, 2014

## STAFF REPORT

SPECIAL PERMIT APPLICATION NO. SP 2013-BR-088

### BRADDOCK DISTRICT

**APPLICANT:** Lilian Llanos

**OWNERS:** Lilian Llanos  
Edmundo Llanos-Rojas

**SUBDIVISION:** Ravensworth Grove

**STREET ADDRESS:** 7733 Heritage Dr., Annandale, 22003

**TAX MAP REFERENCE:** 70-4 ((7)) 23

**LOT SIZE:** 12,675 square feet

**ZONING DISTRICT:** R-3

**ZONING ORDINANCE PROVISIONS:** 8-301

**SPECIAL PERMIT PROPOSAL:** To permit a home child care facility.

**STAFF RECOMMENDATION:** Staff recommends approval of SP 2013-BR-088 for the home child care facility with adoption of the proposed development conditions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

*O:\rhomert\Special Permits\LLanos\Staff Report Llanos Home Daycare.doc*

*Rebecca Homer*

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

For additional information, call Zoning Evaluation Division, Department of Planning and Zoning at 703-324-1280, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035. **Board of Zoning Appeals' meetings are held in the Board Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, Virginia 22035-5505**



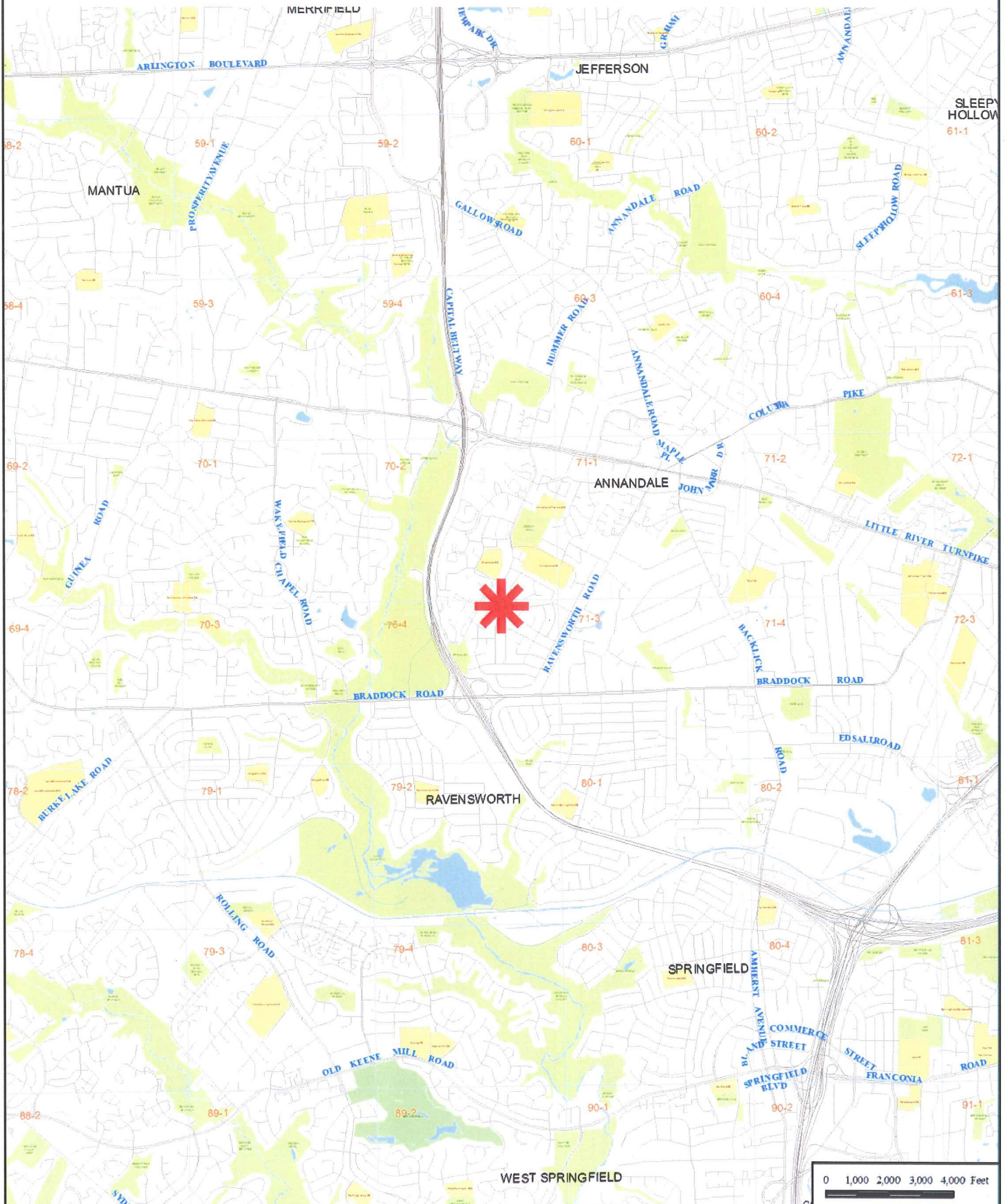
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).



# Special Permit

SP 2013-BR-088

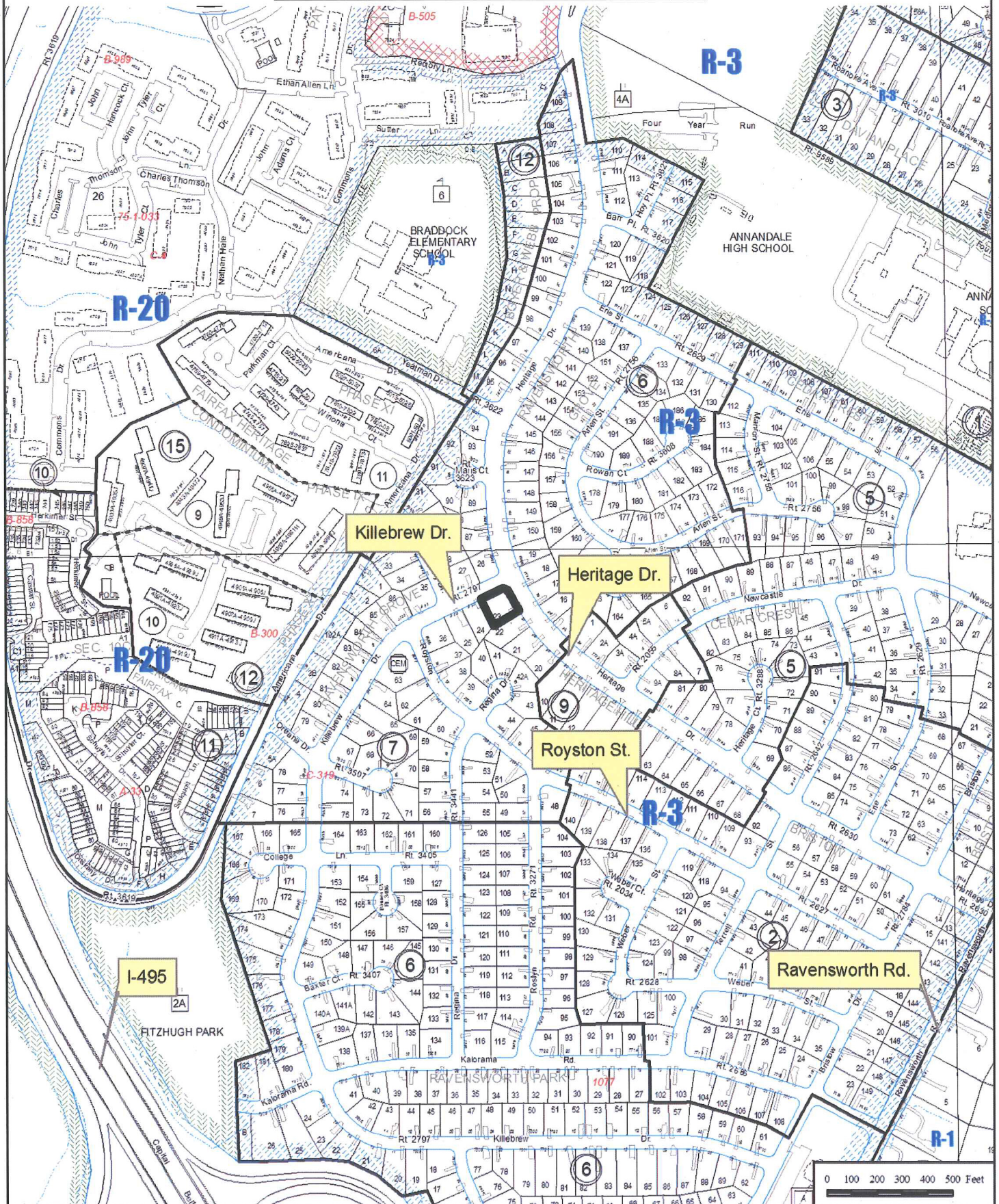
LILIAN LLANOS





# Special Permit

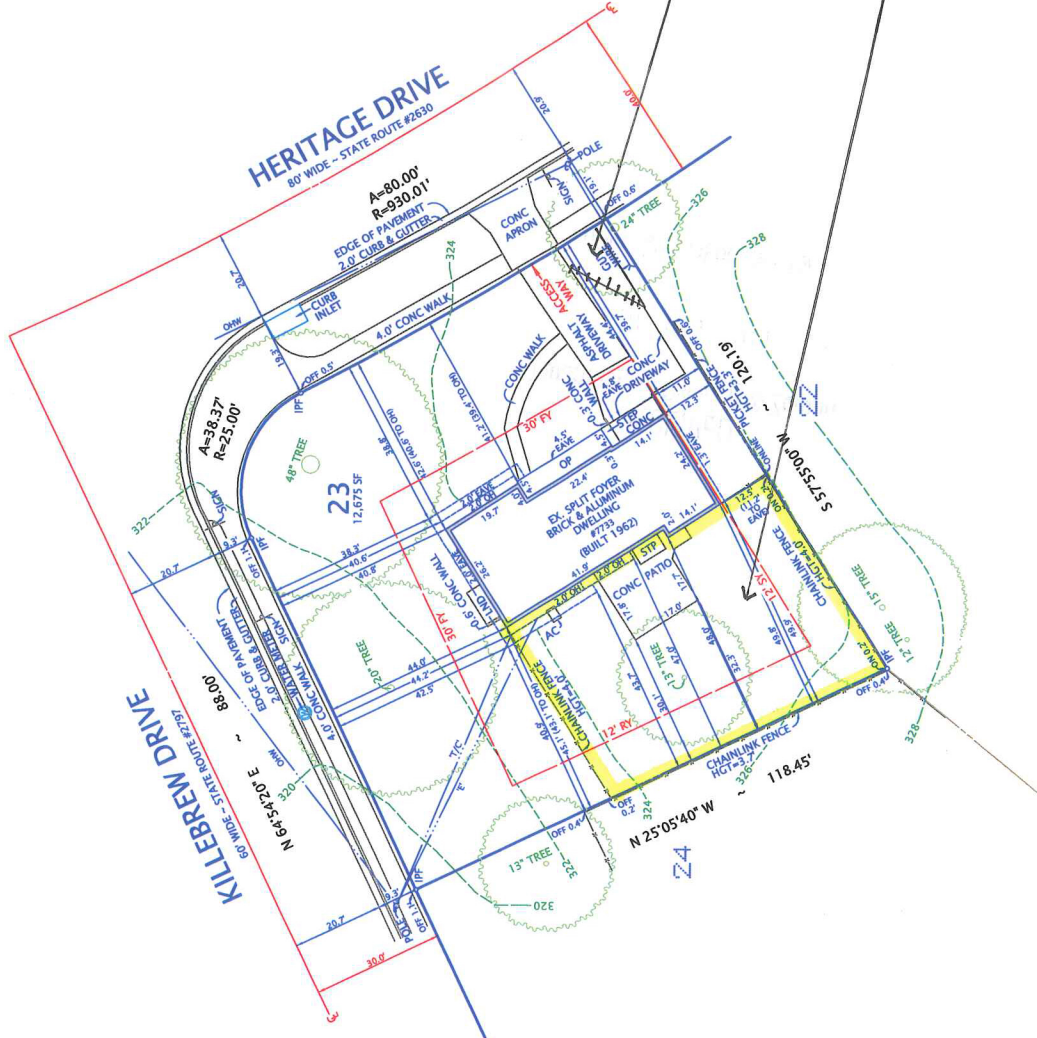
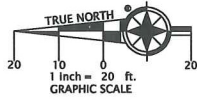
SP 2013-BR-088  
LILIAN LLANOS





NOTES:

1. TAX MAP: 70-4-007-0023
2. ZONE: R-3 (RESIDENTIAL 3 DU/AC)
3. LOT AREA: 12,675 SF (0.2910 ACRE)
4. REQUIRED YARDS: (CORNER LOT)  
FRONT: = 30.0 FEET  
SIDE: = 12.0 FEET  
REAR: = 12.0 FEET
5. HEIGHTS:  
EX. DWELLING = 16.5 FEET  
FENCES = AS NOTED
6. THIS PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.
7. THERE IS NO OBSERVABLE EVIDENCE OF GRAVE SITES OR BURIAL GROUNDS ON THIS PROPERTY.
8. ALL IMPROVEMENTS SHOWN ON THIS PLAT ARE EXISTING UNLESS DENOTED AS PROPOSED.
9. THE SURVEYOR IS NOT AWARE OF ANY UTILITY EASEMENTS 25 FEET IN WIDTH OR GREATER AFFECTING THIS PROPERTY.
10. TOPOGRAPHY DELINEATED HEREON WAS TAKEN FROM AVAILABLE RECORDS AND IS SHOWN AT 2' INTERVALS.
11. THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS ON THIS PROPERTY.
12. AREAS:  
EX. BASEMENT = 516 SF  
EX. FIRST FLOOR = 865 SF  
EX. SECOND FLOOR = 593 SF  
EX. GROSS FLOOR AREA = 1,974 SF  
EX. FLOOR AREA RATIO: EX. GFA (1974) / LOT AREA (12675) = 0.16



Driveway extended  
on 04/16/13

Outdoor play Area  
SF. 3400

PLAT  
SHOWING THE IMPROVEMENTS ON  
LOT 23, SECTION TWO  
**RAVENSWORTH GROVE**  
(DEED BOOK 2133, PAGE 188)  
FAIRFAX COUNTY, VIRGINIA  
BRADDOCK DISTRICT  
SCALE: 1" = 20'  
FEBRUARY 13, 2013

I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THE DATE.

THIS PLAT IS SUBJECT TO THE INSTRUCTIONS OF RECORD. A LITTLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.



ORDERED BY:  
EDMUNDO LLANOS ROJAS  
DOMINION Surveyors, Inc.  
8808-H PEAR TREE VILLAGE COURT  
ALEXANDRIA, VIRGINIA 22309  
703-619-6555  
FAX: 703-799-6412



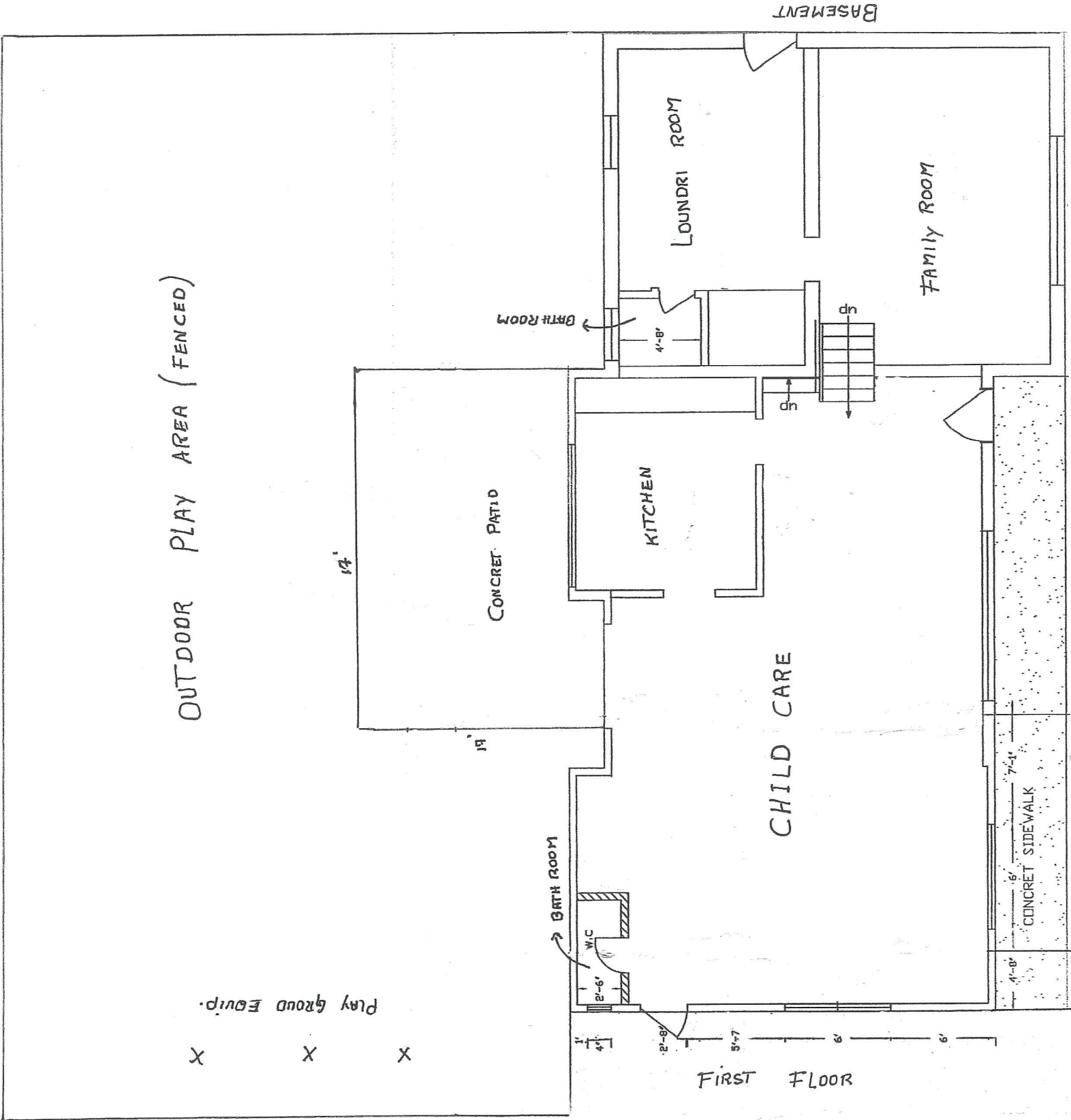
FRONT OF DWELLING

REAR OF DWELLING

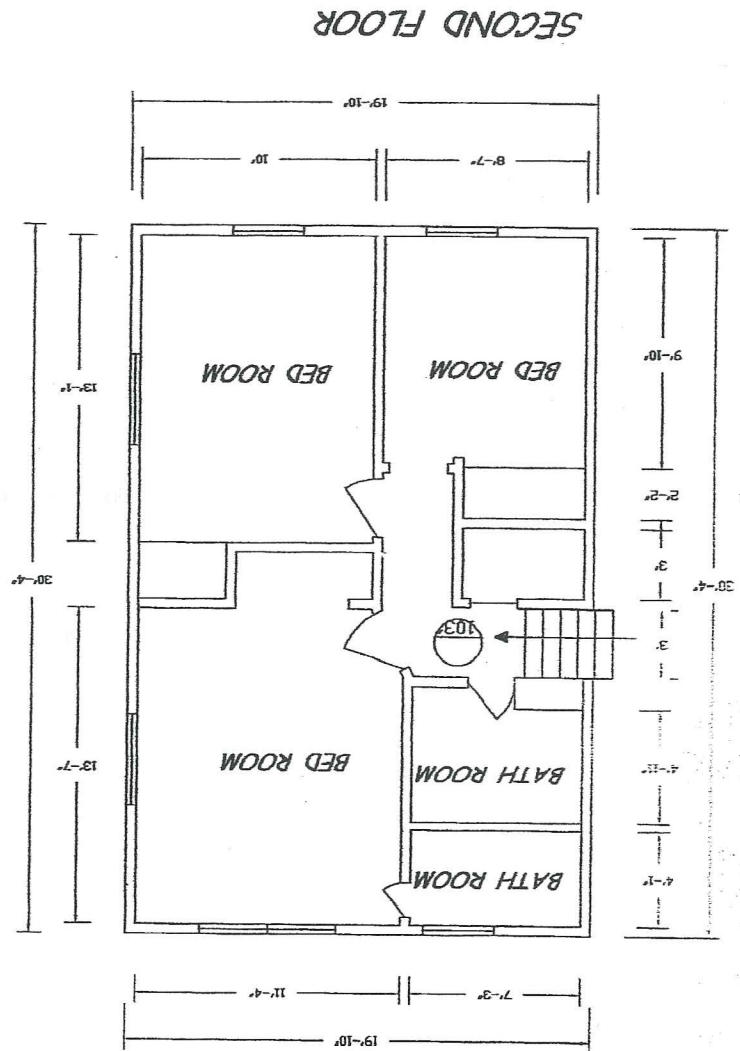
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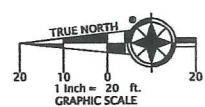
#09-13

*Lillian V. Llanos*  
10/02/13



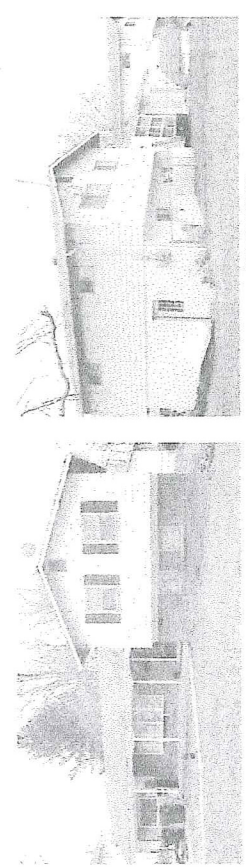
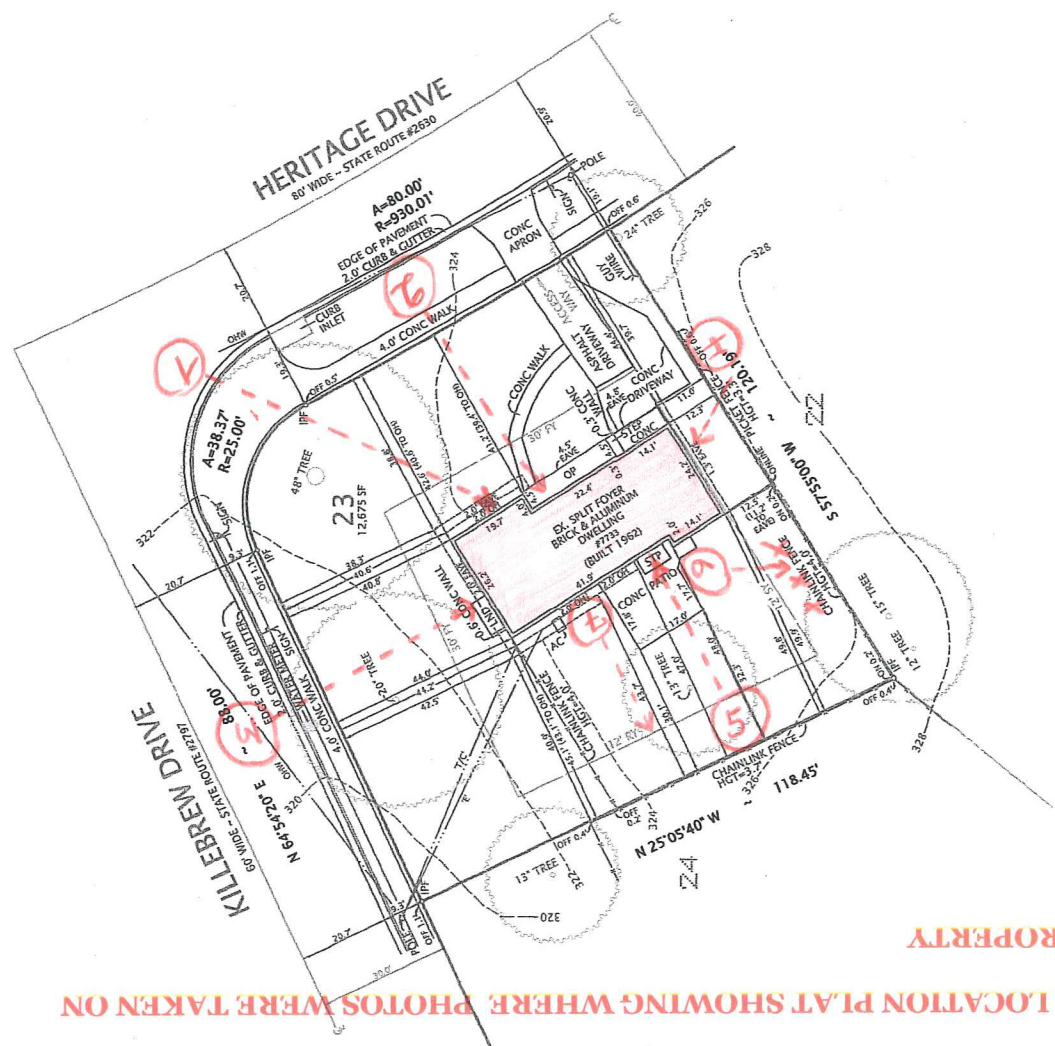






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EX. FLOOR AREA RATIO: EX. GFA (1974) / LOT AREA (12675) = 0.16



**RECEIVED**  
**Department of Planning & Zoning**  
**AUG 05 2013**  
**Zoning Evaluation Division**

PLAT  
 SHOWING THE IMPROVEMENTS ON  
 LOT 23, SECTION TWO  
**RAVENSWORTH GROVE**  
 (DEED BOOK 2133, PAGE 188)  
 FAIRFAX COUNTY, VIRGINIA  
 BRADDOCK DISTRICT  
 SCALE: 1" = 20'  
 FEBRUARY 13, 2013

<p>ORDERED BY: EDMUNDO LLANOS BOAS</p>	<p>02/13/2013          GEORGE M. O'QUINN          LICENSE NO. 2009</p>	<p>DOMINION Surveyors          8804 H PEAR TREE VILLAGE COURT          ALEXANDRIA, VIRGINIA 22304          703-819-5555          FAX: 703-799-6412</p>
<p>COMMONWEALTH OF VIRGINIA          LAND SURVEYOR  <i>George M. O'Quinn</i></p>		
<p>I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO VISIBLE ENCROACHMENTS AS OF THIS DATE:</p> <p>THIS PLAT IS SUBJECT TO RESTRICTIONS OF RECORD. A TITLE REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.</p>		



## PHOTOGRAPHS OF THE ENTIRE PROPERTY



1.- ENTIRE PROPERTY PHOTO TAKEN FROM THE CORNER OF THE KILLEBREW DR AND HERITAGE DR.



2.- PROPERTY PHOTO TAKEN ACROSS STREET AT HERITAGE DR.  
FRONT OF DWELLING



## PHOTOGRAPHS OF THE ENTIRE PROPERTY



3.- PROPERTY PHOTO TAKEN ACROSS STREET AT KILLEBREW DR.



4.- PROPERTY PHOTO TAKEN FROM LEFT SIDE



PHOTOGRAPHS OF THE ENTIRE PROPERTY



5.- PROPERTY PHOTO TAKEN FROM BACK SIDE



PHOTOGRAPHS OF THE ENTIRE PROPERTY



6.- PLAY GROUND EQUIPMENT



7.- OUT DOOR PLAY AREA

( Page 5 )



## PHOTOGRAPHS OF SURROUNDING PROPERTIES



1.- ACROSS STREET AT KILLEBREW DR. (NEIGHBOR ACROSS)



2.- ACROSS STREET AT HERITAGE DR. (NEIGHBOR ACROSS)



## PHOTOGRAPHS OF SURROUNDING PROPERTIES



3.- LEFT NEIGHBOR HOME



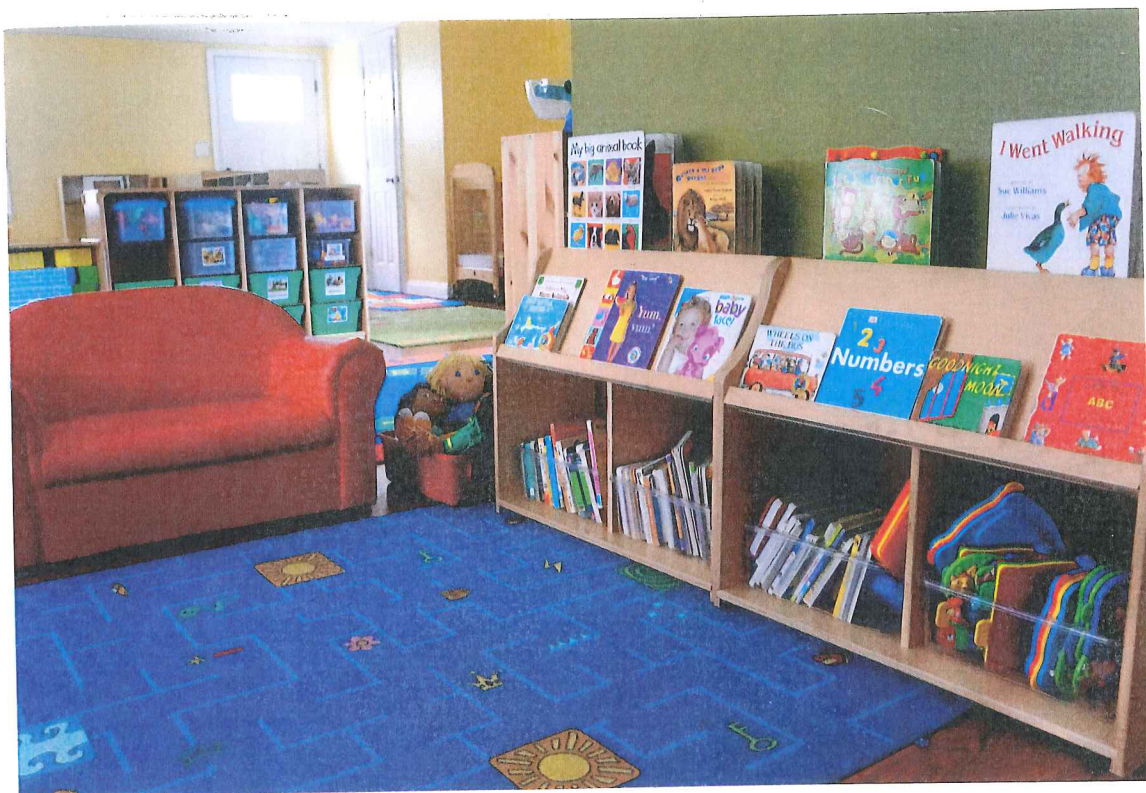
4.- BACK NEIGHBOR HOME



## PHOTOGRAPHS OF INTERIOR HOME CHILD CARE FACILITY















## SPECIAL PERMIT REQUEST

The applicant requests approval of a special permit is for a home child care facility for 12 children at any one time within an existing dwelling.

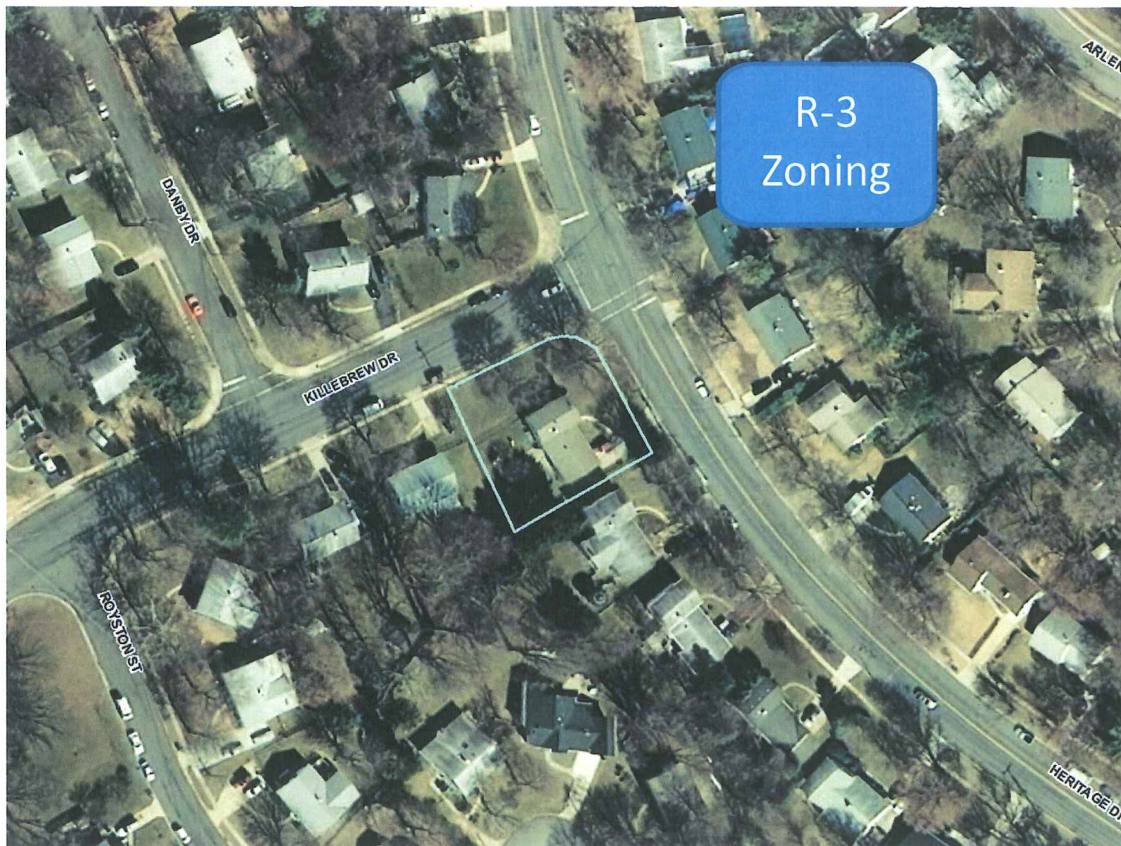
A detailed discussion of the request is included on page two.

A copy of the plat titled "Plat Showing the Improvements on Lot 23, Section Two" prepared by Dominion Surveyors Inc., dated February 13, 2013, as revised through October 2, 2013 by Lilian v. Llanos, is included at the front of this report.

## CHARACTER OF THE SITE AND SURROUNDING AREA

The 12,675 square foot lot is zoned R-3 and developed with a single family dwelling consisting of 1,974 square feet of floor area. The property is a corner lot with frontage on both Killebrew and Heritage Drives. An open deck extends off the rear of the dwelling. A portion of the backyard is enclosed with a chain-link fence ranging in height from 3.7 feet to 4.0 feet tall.

Ingress and egress to the site is provided via a driveway accessed from Heritage Drive. A concrete walk extends from the driveway to the front door of the dwelling. Several mature trees and shrubs exist throughout the property.





As shown in the picture above, the site is surrounded by residential lots, zoned R-3 and developed with single family dwellings.

## **BACKGROUND AND HISTORY**

County Records show that the dwelling was constructed in 1962. The applicant purchased the property in February 2012. The applicant indicates she operates a home child care facility. The applicant holds a current license, which is valid until November 30, 2015, from the Commonwealth of Virginia, Department of Social Services for a Family Day Home with a capacity of ten children, aged one month through 12 years 11 months. A portion of the existing home, part of the main level was converted into the home child care facility.

County records reflect that there are no similar cases in the vicinity.

## **DESCRIPTION OF THE APPLICATION**

The applicant is requesting approval of a special permit for a home child care facility for up to 12 children, at any one time, to operate between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday. Drop-off of children is to be staggered between 7:00 a.m. and 9:15 a.m. and pick-up between 2:45 p.m. and 5:30 p.m. Employees include the applicant and two assistants.

The home child care facility is operated in a portion of the main level of the dwelling which includes a large multi-purpose room, a bathroom, and a kitchen. There is a fenced yard and open deck where the children play outside.

The existing driveway appears to be able to accommodate at least three vehicles in addition to on-street parking spaces on both Killebrew and Heritage Drives.

## **COMPREHENSIVE PLAN PROVISIONS**

**Plan Area:** Area I, Annandale Planning District  
**Planning Sector:** Ossian Hall Community Planning Sector  
**Plan Map:** Residential use at 2-3 dwelling units per acre (du/ac)

The Comprehensive Plan language does not dissuade or prohibit home child care facilities in this area.



## **ZONING ORDINANCE REQUIREMENTS**

- General Special Permit Standards (Sect. 8-006)
- Group 3 Uses (Sect. 8-303)
- Additional Standards for Home Child Care Facilities (Sect. 8-305)

This special permit is subject to the sections of the Zoning Ordinance outlined above, a copy of which is included in Appendix 4. Subject to the development conditions, the special permit must meet these standards.

## **CONCLUSION AND RECOMMENDATIONS**

It appears that the proposed home child care facility does not negatively impact the surrounding neighborhood and adequate parking is available. Heritage Drive is a collector street with a higher volume of traffic, however, the intersection is a four-way stop and the Department of Transportation (DOT) does not believe the proposed daycare will cause a conflict with the existing transportation system. Staff believes that the subject application is in conformance with the applicable Zoning Ordinance provisions with the adoption of the Proposed Development Conditions contained in Appendix 1 of the staff report. Staff recommends approval of SP 2013-BR-088.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals.

The approval of this application does not interfere with, abrogate or annul any easements, covenants, or other agreements between parties, as they may apply to the property subject to the application.

## **APPENDICES**

1. Proposed Development Conditions
2. Applicant's Affidavit
3. Applicant's Statement of Justification
4. Applicable Zoning Ordinance Provisions



**PROPOSED DEVELOPMENT CONDITIONS****January 1, 2014**

If it is the intent of the Board of Zoning Appeals to approve SP 2013-BR-088 located at Tax Map 70-4 ((7)) 23 for a home child care facility pursuant to Section 8-301 of the Fairfax County Zoning Ordinance, staff recommends that the Board condition the approval by requiring conformance with the following development conditions.

1. This approval is granted to the applicant, Lilian Llanos, only and is not transferable without further action of the Board, and is for the location indicated on the application, 7733 Heritage Dr., and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Dominion Surveyors, Inc., dated February 13, 2013, as revised through October 2, 2013 by Lilian V. Llanos, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit **SHALL BE POSTED in a conspicuous place on the property of the use** and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
6. All pick-up and drop-off of children shall take place in the driveway.
7. The dwelling that contains the child care facility shall be the primary residence of the applicant.
8. There shall be no signage associated with the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless the use has been established as outlined above. The number of children shall not be increased above seven until all conditions are met. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must



specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.



**THE ATTACHED AFFIDAVIT**

---

**HAS NOT BEEN APPROVED**

**BY THE OFFICE OF THE COUNTY ATTORNEY**



Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Att. to  
J. Ellen Graves  
10/2/13

### SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

I, Lilian V. LLanos, do hereby state that I am an  
(enter name of applicant or authorized agent)

(check one) ☒ applicant  
☐ applicant's authorized agent listed in Par. 1(a) below

and that, to the best of my knowledge and belief, the following is true:

- 1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,\* and, if any of the foregoing is a **TRUSTEE**,\*\* each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together, e.g., **Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner**, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in <b>BOLD</b> above)
Lilian V. LLanos	7733 Heritage Drive, Annandale, VA 22003	Aplicant/Agent for Title Owner
Lilian's Little Sunflowers Day Care, INC.	7733 Heritage Drive, Annandale, VA 22003	Co-Applicant
Edmundo LLanos-Rojas	7733 Heritage Drive, Annandale, VA 22003	Title Owner

(check if applicable) ☐ There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

\* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

\*\* List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).



Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Two

### SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

1(b). The following constitutes a listing\*\*\* of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

#### CORPORATION INFORMATION

**NAME & ADDRESS OF CORPORATION:** (enter complete name, number, street, city, state, and zip code)

Lilian's Little Sunflowers Day Care INC.  
7733 Heritage Drive  
Annandale VA, 22003

**DESCRIPTION OF CORPORATION:** (check one statement)

- ☒ There are 10 or less shareholders, and all of the shareholders are listed below.  
☐ There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.  
☐ There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

**NAMES OF SHAREHOLDERS:** (enter first name, middle initial, and last name)

Lilian V. LLanos

(check if applicable) ☐ There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Three

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

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1(c). The following constitutes a listing\*\*\* of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in this affidavit:

---

**PARTNERSHIP INFORMATION**

**PARTNERSHIP NAME & ADDRESS:** (enter complete name, number, street, city, state, and zip code)

N/A

(check if applicable) ☐ The above-listed partnership has no limited partners.

**NAMES AND TITLE OF THE PARTNERS** (enter first name, middle initial, last name, and title, e.g. **General Partner, Limited Partner, or General and Limited Partner**)

(check if applicable) ☐ There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

\*\*\* All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.



Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Four

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: \_\_\_\_\_  
(enter date affidavit is notarized)

1(d). One of the following boxes **must** be checked:

☐ In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land:

☒ Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

**EXCEPT AS FOLLOWS:** (**NOTE:** If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) ☐ There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): \_\_\_\_\_  
(county-assigned application number(s), to be entered by County Staff)

Page Five

**SPECIAL PERMIT/VARIANCE AFFIDAVIT**

DATE: 10/2/13  
(enter date affidavit is notarized)

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

**EXCEPT AS FOLLOWS:** (NOTE: If answer is none, enter "NONE" on line below.)

NONE

**(NOTE:** Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) ☐ There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE\* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature:

(check one)

[Signature]  
☒ Applicant ☐ Applicant's Authorized Agent

Lilian V. LLanos

(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 2nd day of October 2013, in the State/Comm. of Virginia, County/City of Fairfax.

My commission expires: June 30, 2015

Erin Michelle Hall  
Notary Public





**STATEMENT OF JUSTIFICATION FOR A HOME CHILD CARE FACILITY**

RECEIVED  
Department of Planning & Zoning

OCT 01 2013

Zoning Evaluation Division

**Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035**

To Whom It May Concern:

I live in a single detached dwelling at 7733 Heritage Dr. Annandale, Virginia 22003 and I am using this place as a Home Daycare, I understand that I need to seek approval of a Special Permit in order to operate a Child Care Facility in my home. I am currently licensed by the State of Virginia as a Home Daycare.

**Type of operation**

Home Daycare

**Hours of operation**

From 7:00 AM to 6:00 PM, Monday through Friday.

**Estimated number of children**

Twelve (12) children.

**Proposed number of employees**

The number of employees required is (3) three.

Currently, Daycare has (1) teacher and (2) two assistants. One assistant works six hours 7:00 AM to 1:00 PM, the other assistant works five hours 1:00 PM to 6:00 PM, Monday through Friday. Both of my helpers live in my neighborhood and walk to Home Daycare.

**Estimated drop off schedule and largest number of drop offs at any time.**

Arrival time: three of the children (two of them siblings) arrive between 7:00 and 7:15 AM, two other sibling arrive between 7:45 and 8:00 AM, four other children arrive between 8:00 and 8:30 AM, One other child arrive between 9:00 and 9:15 AM.

Departure time: two of children (siblings) are picked up between 2:45 and 3:00 PM, two other children are between 4:15 and 4:30 PM, four other children are picked between 4:30 and 5:00 PM, two other children (siblings) are picked between 5:00 to 5:30 PM.

*(Schedule found as attachment 1)*

**Vicinity or general area to be served by the use**

Annandale VA .Fairfax County.

Currently, most of the children live in Annandale. The parents drive their children to my house.

**Describe the dwelling and how the use will operate within the dwelling, including square footage dedicated to the home child care facility. Include a floor plan to show how the use fits within the dwelling. Describe the outdoor play areas.**

My house is a brick and siding split level (three levels). It has a walk out basement, which is located my family room and laundry room. The first floor has a play room and kitchen, this floor is where the Day care is locate . At the second floor are three bedrooms which is use for my family.

Square footage for the Day Care area is 864 SF.

I use my fenced backyard for outdoor play. There is a swing set with slide and other play equipment.

Square footage for outdoor play is 3400 SF.

*(Plan is include as attachment 2 )*

My driveway provides enough parking to four cars. In addition, ample parking for eight or more cars is available along the street in front my home. I believe that this parking will be adequate for the parents dropping off and picking up their children.



**A listing, if known, of all hazardous or toxic substances as set forth in Title 40, code Of Federal Regulations Pats 116.4,302.4 and 355; all hazardous waste set forth In Commonwealth of Virginia/ Department of waste Management Regulations VR 672-10-1-Virginia hazardous waste Management Regulations and/or Petroleum products as defined in Title 40 code Of Federal Regulations part 280; to be generated, utilized, stored, treated, and/or disposed of on side and the size and contents of any existing or proposed storage tanks or containers.**

N/A

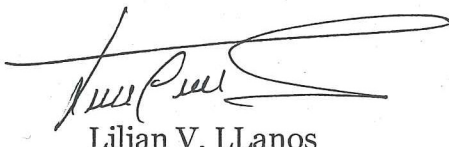
**A statement that the proposed development conforms to the provisions of all applicable ordinances, regulations and adopted standards or, if any waiver, exception or variance is sought by the applicant, such shall be specifically noted with the justification for such modification.**

I am Lilian Llanos, do hereby state that the place in mention located at 7733 Heritage Dr. Annandale, VA 22003 meets all requirements according to regulations and standards by the zoning.

In conclusion, I am proposing no changes to the appearance of my home to accommodate my home child care facility. Adequate parking is available for parents and employees if they will have car, I believe that my proposed will not impact my neighbors in any negative way.

Therefore, I believe that the house location plat which I have included with my application package will provide all the necessary information that the county may need to review my request for a home child care facility.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lilian V. Llanos', with a long horizontal flourish extending to the right.

Lilian V. Llanos

**STATEMENT OF JUSTIFICATION FOR A HOME CHILD CARE FACILITY**

**Lilian's little Sunflowers Day Care  
7733 Heritage Drive  
Annandale, VA 22003**

**Department of Planning and Zoning  
Zoning Evaluation Division  
12055 Government Center Parkway, Suite 801  
Fairfax, VA 22035**

To Whom It May Concern:

I own and live in a single detached dwelling at 7733 Heritage Dr. in Annandale, Virginia 22003 and I understand that I need to seek approval of a Special Permit in order to operate a Child Care Facility within my home. I am currently licensed by the State of Virginia for ten (10) children, but I will like an increase in the number of the children from ten (10) to twelve (12).

Below is information about my child care:

**Type of operation**

Lilian's Little Sunflowers Day Care INC. Currently operates as a Home Day Care Facility, licensed by the State of Virginia.

**Hours of operation**

Lilian's Little Sunflowers Daycare INC. Operates from 7:00 AM to 6:00 PM, Monday through Friday.

**Estimated number of children**

Twelve (12) children. Currently, we have 10 children enrolled and we have waiting list to accommodate 12 children.

**Proposed number of employees**

The number of assistants required is two. Currently, Day Care has (2) two employees

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**Zoning Evaluation Division**



One assistant works six hours 7:00 AM to 1:00 PM, the other assistant works five hours 1:00 PM to 6:00 PM, Monday through Friday. Both of my helpers live in the neighborhood and walk to the Day Care.

**Estimated drop off schedule and largest number of drop offs at any time.**

Arrival time: three of the children (two of them siblings) arrive between 7:00 and 7:15 AM, two other sibling arrive between 7:45 and 8:00 AM, four other children arrive between 8:00 and 8:30 AM, One other child arrive between 9:00 and 9:15 AM.

Departure time: two of children (siblings) are picked up between 2:45 and 3:00 PM, two other children are between 4:15 and 4:30 PM, four other children are picked between 4:30 and 5:00 PM, two other children (siblings) are picked between 5:00 to 5:30 PM.

*(Schedule found as attachment 1)*

**Vicinity or general area to be served by the use**

Currently, most of the children live in my neighborhood. Many of the children live in Annandale. These parents drive their children to my house.

**Describe the dwelling and how the use will operate within the dwelling, including square footage dedicated to the home child care facility. Include a floor plan to show how the use fits within the dwelling. Describe the outdoor play areas.**

My house is a brick and siding split level whit three levels. It has a walk out basement, which is located my family room and laundry room, on the first floor I have the play room, kitchen and dining area, this floor is where the Day care is located . At the second floor are three bedrooms which is use for my family.

Square footage for the Day Care area is 864 SF.

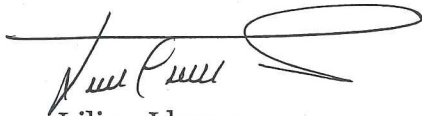
I use my backyard for outdoor play for the children. There is a swing set with slide and other play equipment. *(Plan is include as attachment 2 )*

My driveway provides enough parking for four cars including my. In addition, ample parking for eight cars or more is available along the streets in front my home. I believe that this parking will be adequate for the parents dropping off and picking up their children.

In conclusion, I am proposing no changes to the appearance of my home to accommodate my home child care facility. Adequate parking is available for my parents and employees if they will have car, I believe that my proposed will not impact my neighbors in any negative way.

Therefore, I believe that the house location plat which I have included with my application package will provide all the necessary information that the county may need to review my request for a home child care facility.

Sincerely,



Lilian Llanos

Owner of Lilian's Little Sunflowers Day Care.



( Attachment 1 )

Arrival      Schedule

7:00 to 7:15 a.m.    7:45 to 8:00 a.m.    8:00 to 8:30 a.m.    9:00 to 9:15 a.m.

Child 1	X (s)			
Child 2	X (s)			
Child 3	X			
Child 4		X (s)		
Child 5		X (s)		
Child 6			X	
Child 7			X	
Child 8			X	
Child 9			X	
Child 10				X

Departure    Schedule

2:45 to 3:00 p.m.    4:15 to 4:30 p.m.    4:30 to 5:00 p.m.    5:00 to 5:30 p.m.

Child 1				X (s)
Child 2				X (s)
Child 3			X	
Child 4	X (s)			
Child 5	X (s)			
Child 6			X	
Child 7			X	
Child 8		X		
Child 9		X		
Child 10			X	

(s) siblings

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**8-006 General Standards**

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.



**8-303 Standards for all Group 3 Uses**

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.
2. All uses shall comply with the performance standards specified for the zoning district in which located.
3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

**8-305****Additional Standards for Home Child Care Facilities**

1. The number of children that may be cared for in a home child care facility may exceed the number of children permitted under Par. 6A of Sect. 10-103, but in no event shall the maximum number of children permitted at any one time exceed twelve (12), excluding the provider's own children. The BZA may also allow more than one nonresident person to be involved with the use. Except as described above, home child care facilities shall also be subject to the use limitations of Par. 6 of Sect. 10-103.
2. The BZA shall review access to the site and all existing and/or proposed parking, including but not limited to the availability of on-street parking and/or alternative drop off and pick up areas located in proximity to the use, to determine if such parking is sufficient. The BZA may require the provision of additional off-street parking spaces based on the maximum number of vehicles expected to be on site at any one time and such parking shall be in addition to the requirement for the dwelling unit.
3. The provisions of Article 13 shall not apply to home child care facilities, however, the BZA may require the provision of landscaping and screening based on the specifics of each application.
4. Notwithstanding Par. 2 of Sect. 011 above, all applications shall be accompanied by ten (10) copies of a plan drawn to scale. The plan, which may be prepared by the applicant, shall contain the following information:
  - A. The dimensions, boundary lines and area of the lot or parcel.
  - B. The location, dimensions and height of any building, structure or addition, whether existing or proposed.
  - C. The distance from all property lines to the existing or proposed building, structure or addition, shown to the nearest foot.
  - D. The dimensions and size of all outdoor recreation space and the location of such space in relation to all lot lines.
5. All such uses shall be subject to the regulations of Chapter 30 of The Code or Title 63.2, Chapter 17 of the Code of Virginia.